

REMARKS

I. Summary of Office Action

Claims 1-174 were rejected under 35 U.S.C. § 103(a) as being obvious from Ogasawara U.S. Patent No. 6,577,861 (hereinafter "Ogasawara") in view of Shimada et al. U.S. Patent No. 6,396,919 (hereinafter "Shimada") and in further view of Simon U.S. Patent No. 6,974,078 (hereinafter "Simon").

II. Summary of Applicant's Reply

Applicant has herewith amended independent claims 1, 59, and 117. The claim amendments are supported by the application as originally filed and therefore do not add new matter.

The Examiner's rejections are respectfully traversed.

III. Request for Continued Examination

Applicant files herewith a Request for Continued Examination under 37 C.F.R. § 1.114 with the required fee. Pursuant to 37 C.F.R. § 1.114(d), applicant requests that the finality of the Office Action be withdrawn and the amendments presented herein be entered and considered.

IV. Applicant's Reply

Applicant's independent claims 1, 59, and 177, as amended, are generally directed to methods and systems for handling transactions. At least one available transaction is registered, where the at least one available transaction is associated with at least one vendor. A transaction code is assigned to the at least one available transaction. The transaction code is publicized with an access identifier in a single advertisement in an advertising medium separately from a communication where the transaction code is accepted. At least one user is registered where registering includes recording shipping information and payment information from each user. A personal identification code is assigned to each user. An aural communication addressed to the access identifier and including at least one of the personal identification code and the transaction code are automatically accepted. The at least one available transaction is arranged to be completed for the at least one user, including arranging to have payment collected based on the recorded payment information and sending the at least one vendor a transaction order including the recorded shipping information.

Ogasawara refers to an electronic shopping system. A consumer uses an external bar code reader attached to a wireless telephone to select items for purchase from a catalog. See Ogasawara, Abstract. The consumer then dials the telephone number of the store, and the consumer's wireless telephone sends the barcode data to a server located at the store to process the consumer's purchases. See Ogasawara, col. 10, lines 5-57.

Shimada relates to a telephone transaction support system and is described specifically in relation to banking transactions handled over telephones. When a customer of Shimada's system calls the telephone transaction support system, the customer is connected to a voice response unit that prompts the user to execute a transaction. See Shimada, col. 10, ll. 54-62.

In Simon, a communication device may read a product identifier from a product label or advertisement. This identifier may then be sent over a communication link to query various databases for information related to the product. See Simon, Abstract and col. 4, ll. 11-39.

A. None of the References Show or Suggest an Access Identifier Publicized with a Transaction Code in a Single Advertisement

The Office Action contends that Ogasawara shows a transaction code publicized with an access identifier. See Office Action, pages 3-4. Applicant respectfully disagrees.

Ogasawara is silent as to where the access identifier (e.g., telephone number) used to call the store server is publicized (or even if it is publicized at all). For example, Ogasawara states that "[i]n use, a purchaser merely dials the telephone number of the store server . . . with the wireless telephone" (Ogasawara, col., 10, lines 5-7). After the data connection is made, the remote server then receives bar code data from the consumer's wireless telephone and the consumer's purchases are processed. See Ogasawara, col. 10, lines 42-57. Nowhere in Ogasawara does

it state that the barcode is "publicized with an access identifier in an advertising medium" as recited by applicant's independent claims.

In order to advance prosecution, however, applicant has amended each of independent claims 1, 59, and 117 to specify that the transaction code is publicized with an access identifier "in a single advertisement" in an advertising medium separately from a communication where the transaction code is accepted. Even assuming, arguendo, that the store server's telephone number is publicized in Ogasawara's catalog, there is no showing or suggestion in Ogasawara or any of the other references cited by the Examiner that an access identifier is publicized in the same single advertisement as the transaction code.

For example, applicant's FIG. 6 shows a magazine advertisement with two specific transaction codes relating to an advertised product. Publicized with the transaction code in the same single magazine advertisement is a telephone number that the consumer may use to place the transaction using the transaction code. As such, applicant's claimed approach allows for an access identifier to be publicized together with one or more transaction codes relating for simple and efficient reference. Ogasawara, Simon, and Shimada, alone or in combination, fail to show or suggest this claimed feature.

For at least the foregoing reasons, applicant submits that independent claims 1, 59 and 117 are allowable over Ogasawara, Shimada, and Simon. Each of dependent claims 2-58, 60-116, and 118-174 is allowable for at least the same

reasons. Applicant respectfully requests, therefore, that the 35 U.S.C. § 103(a) rejection be withdrawn.

B. None of the References Show or Suggest Automatically Accepting an Aural Communication Addressed To the Publicized Access Identifier

Applicants independent claims 1, 59 and 117 also each specify that an aural communication addressed to the publicized access identifier is automatically accepted. For example, a user may dial the telephone number publicized in the magazine advertisement shown in applicant's FIG. 6 to automatically place an order for the advertised product or order a catalog. The aural communication is addressed to the same access identifier publicized in the single advertisement. Because, as described above, none of the references cited by the Examiner show or reasonably suggest an access identifier publicized with a transaction code in a single advertisement, consequently none of the references additionally show or suggest an aural communication addressed to such an access identifier being automatically accepted. Rather, as described above, the access identifiers in Ogasawara, Simon, and Shimada are all publicized separately apart from the transaction codes, and no aural communication addressed to such an access identifier is automatically accepted.

For at least the foregoing reasons, applicant submits that independent claims 1, 59 and 117 are allowable over Shimada and Simon. Each of dependent claims 2-58, 60-116, and 118-174 is allowable for at least the same reasons.

Applicant respectfully requests, therefore, that the
35 U.S.C. § 103(a) rejections be withdrawn.

V. Conclusion

The foregoing demonstrates that claims 1-174 are allowable. This application is therefore in condition for allowance. Accordingly, reconsideration and prompt allowance are respectfully requested.

Respectfully submitted,

/Brian E. Mack/

Brian E. Mack
Agent for Applicant
Registration No. 57,189
ROPES & GRAY LLP
Customer No. 1473
1211 Avenue of the Americas
New York, New York 10036-8704
Tel.: (212) 596-9000
Fax : (212) 596-9090